

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE – N/S Eastern Avenue,
1100' W of the c/l Diamond Point Road * ZONING COMMISSIONER
(8100 Eastern Avenue)
15th Election District * OF BALTIMORE COUNTY
7th Council District * Case No. 02-318-XA
Diamond Point Plaza Phase II, LLC, Owners;
Extra Space Storage, Contract Lessees *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Diamond Point Plaza Phase II, LLC, by Alan Smith, Executive Vice President, and by the Contract Lessees, Extra Space Storage, by Richard S. Tanner, through their attorney, David K. Gildea, Esquire. The Petitioners request a special exception to permit living quarters in a commercial building, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from the B.C.Z.R. as follows: From Sections 238.2 and 102.2 of the B.C.Z.R. to allow setbacks of 30 feet in lieu of the required 60 feet between those buildings itemized on the Attachment to the Petition for Variance; a setback of 20 feet in lieu of the required 60 feet between the Office/Manager's Residence and Building M; a setback of 5 feet in lieu of the required 60 feet between Buildings A and B, C and D, and E and F; and a 0-foot rear yard setback in lieu of the required 30 feet for Buildings A and B. In addition, the Petitioner's Request a variance from Section 409.8.A of the B.C.Z.R. to permit a 0-foot parking setback in lieu of the required 10 feet, pursuant to the requirements of the Landscape Manual and as adopted in Section 26-283 of the Baltimore County Code. The subject property and requested relief are more particularly described on the five-page site plan, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were John Englar, on behalf of Diamond Point Plaza Phase II, LLC, property owners; Mel Willis a representative of Burgess and Niple, the engineering consultants who prepared the site plan for this property; and,

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Date

By

Sebastian Cross, Esquire, attorney for the Petitioners. There were no Protestants or other persons present.

The subject property under consideration is an irregular shaped parcel located on the north side of Eastern Avenue, near Oriole Avenue and not far from its intersection with the Patapsco Freeway (I-695) in Essex. The property contains a gross area of 5.28 acres, more or less, zoned B.R., and is presently unimproved. The site is part of an overall parcel that has been developed as the Diamond Point Shopping Center. The anchor tenant is a Sam's Club retail/warehouse, which building is located on an adjacent lot within the shopping center property. The Petitioner recently contracted to lease the subject property to Extra Space Storage for the purpose of developing same with a self-storage facility. Extra Space Storage is a business entity, which leases warehouse space to residential and commercial users. The company has facilities nationwide; however, this is the first proposal in the state of Maryland.

As more particularly shown on the site plan (Petitioner's Exhibit 1), the Petitioners propose over 60,000 sq.ft. of storage space. The storage area will be contained in a series of buildings (17), which are typically 30' x 150', 30' x 145', and 25' x 125' in dimension. Testimony and evidence offered at the hearing indicated that due to a lease arrangement between the property owner and Sam's Club, the height of the buildings proposed by the Petitioners is limited. Thus, the structures proposed are long and narrow, low-rise buildings. Such an arrangement will provide a variety of storage space options for customers. Moreover, the lower profile of the buildings is also compatible with the residences that are nearby and adjacent to Oriole Avenue.

Mr. Englar, through Counsel, described the proposed operation. As noted above, storage space will be leased to both homeowners and commercial business owners. The property is gated with but a single entrance from the shopping center property. The perimeter of the site is also fenced and lighted so as to provide security. As is the case with similar operations, a manager will live onsite to provide a 24-hour presence. The site plan shows a 30' x 30' manager's residence immediately adjacent to a 600 sq.ft. office area. This security will be a benefit to not

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Date 4/11/02
By [Signature]

only the subject property but to the adjacent shopping center use as well. In view of the proposed manager's residence, the requested special exception relief is necessary.

It is clear that the proposal is well thought out and that the Petitioner has given great care to the proposed design and operation of the facility. There were no Protestants present and testimony indicated that the Petitioner contacted surrounding neighbors to advise them of the proposal and obtain feedback. Moreover, Zoning Advisory Committee (ZAC) comments in support of the project were received from the Office of Planning. Generally, those comments require that the buildings be constructed in such a manner so as to be attractive and compatible with the existing locale. The comments suggested such improvements as a brick façade, decorative fencing, and landscaping. In this regard, the Petitioner has revised its plans to comply with these comments.

An additional comment was received from the Department of Public Works regarding an existing sewer line and storm drain which traverse the subject site. The comment indicates that the Petitioner should clarify the ownership of these utilities and if same are public, they must be relocated or the buildings moved to allow access for maintenance. In this regard, Mr. Willis, the engineer for the project, indicated that he believes the lines to be public and that they will be relocated at the Petitioner's expense.

Based upon the testimony and evidence presented, I am easily persuaded to grant the relief requested. I am impressed with the design of this project and the Petitioner's attention to detail. The proposed special exception use appears appropriate here and will not cause detrimental impacts to the health, safety and general welfare of the locale. As to the variance requests, I find that the Petitioner has met the requirements of Section 307 of the B.C.Z.R. The nature of the use, the configuration of the property, and the constraints associated with the lease arrangement are all persuasive factors that the design of the buildings and location thereof are appropriate. I find that the property is unique, that a practical difficulty would result if relief were denied, and that variances can be granted without adverse impact to the surrounding locale.

ORDER RECEIVED FOR FILING

Date

By

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of April, 2002 that the Petition for Special Exception to permit living quarters in a commercial building, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Sections 238.2 and 102.2 of the B.C.Z.R. to allow setbacks of 30 feet in lieu of the required 60 feet between those buildings itemized on the Attachment to the Petition for Variance; a setback of 20 feet in lieu of the required 60 feet between the Office/Manager's Residence and Building M; a setback of 5 feet in lieu of the required 60 feet between Buildings A and B, C and D, and E and F; and, a 0-foot rear yard setback in lieu of the required 30 feet for Buildings A and B; and from Section 409.8.A of the B.C.Z.R. to permit a 0-foot parking setback in lieu of the required 10 feet, pursuant to the requirements of the Landscape Manual, as adopted in Section 26-283 of the Baltimore County Code, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by the Office of Planning dated March 4, 2002 and March 21, 2002, and the Bureau of Development Plans Review, dated March 21, 2002, copies of which are attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT

Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 4/10/02
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 10, 2002

David K. Gildea, Esquire
Sebastian Cross, Esquire
301 N. Charles Street, Suite 800
Baltimore, Maryland 21201

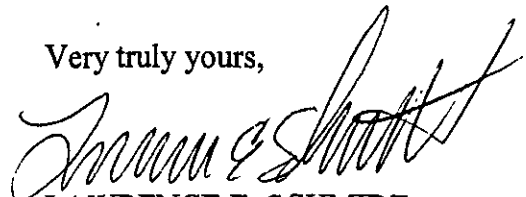
RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
N/S Eastern Avenue, 1100' W of the c/l Diamond Point Road
(8100 Eastern Avenue)
15th Election District – 7th Council District
Diamond Point Plaza Phase II, LLC, Owners; Extra Space Storage, Lessees - Petitioners
Case No. 02-318-XA

Dear Messrs. Gildea & Cross:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Alan Smith, Executive Vice President
Diamond Point Plaza Phase II, LLC, 16 Munson Road, Farmington, CT. 06032
Mr. Richard S. Tanner, Extra Space Storage,
934 Washington Street, 3rd Floor, Norwood, MA 02062
Mr. Mel Willis, Burgess & Niple, Inc.
170 Rollins Avenue, Rockville, MD 20850
Office of Planning; Bureau of Development Plans Review; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 8100 Eastern Avenue

which is presently zoned BR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Living quarters in a commercial building pursuant to BCZR
Section 236.4

Property is to be posted and advertised as prescribed by the zoning regulations.
I or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Extra Space Storage

Name - Type or Print

Signature By: Richard S. Lanner

934 Washington St., 3rd Fl.

Address

Telephone No.

Norwood, MA 02062 (781) 440-9530

City

State

Zip Code

Attorney For Petitioner:

David K. Gildea

Name - Type or Print

Signature

Gildea, LLC

Company

301 N. Charles St., Suite 800

Address

Telephone No.

Baltimore, MD 21201 (410) 234-0070

City

State

Zip Code

Legal Owner(s):

Diamond Point Plaza Phase II, LLC
By: Konover Management Corporation

Name - Type or Print

Signature BY: Alan Smith, Exec.V.P.

Name - Type or Print

Signature

16 Munson Road (860) 284-7107

Address

Telephone No.

Farmington, CT 06032

City

State

Zip Code

Representative to be Contacted:

David K. Gildea

Name

301 N. Charles St., Suite 800

Address

Telephone No.

Baltimore, MD 21201 (410) 234-0070

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 1-29-02

02-318-XA

ORDER RECEIVED
Date
By



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8100 Eastern Avenue

which is presently zoned BR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be presented at hearing

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Extra Space Storage

Name - Type or Print

Signature By: Richard S. Tanner

934 Washington St., 3rd Fl.

Address

Telephone No.

Norwood, MA 02062 (781)440-9530

City

State

Zip Code

Attorney For Petitioner:

David K. Gildea

Name - Type or Print

Signature

Gildea, LLC

Company

301 N. Charles St., Suite 800

Address

Telephone No.

Baltimore, MD 21201 (410)234-0070

City

State

Zip Code

Legal Owner(s):

Diamond Point Plaza Phase II, LLC

By: Konover Management Corporation

Name - Type or Print

Signature By: Alan Smith, Exec.V.P.

Name - Type or Print

Signature

16 Munson Road (860)284-7107

Address

Telephone No.

Farmington, CT 06032

City

State

Zip Code

Representative to be Contacted:

David K. Gildea

Name

301 N. Charles St., Suite 800

Address

Telephone No.

Baltimore, MD 21201 (410)234-0070

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 1-29-02

ORDER RECEIVED FOR FILING

Date

By

No. 02-318-XA

220 9/15/98

Attachment to Petition for Variance – 8100 Eastern Avenue

1. BCZR Sections 238.2 and 102.2 – to permit a 30 ft. setback in lieu of the required 60 ft. setback for the following:

- Between Building A and Building C
- Between Building B and Building D
- Between Building C and Building E
- Between Building D and Building F
- Between Building E and Building G
- Between Building E and Building H
- Between Building E and Building I
- Between Building E and Building J
- Between Building E and Building K
- Between Building F and Building L
- Between Building F and the Office/Manager's Residence
- Between Building G and Building H
- Between Building H and Building I
- Between Building I and Building J
- Between Building J and Building K
- Between Building K and Building L
- Between Building L and Building M
- Between Building G and Building O
- Between Building H and Building P
- Between Building I and Building P
- Between Building J and Building P
- Between Building K and Building Q
- Between Building L and Building Q
- Between Building M and Building Q
- Between Building O and Building P
- Between Building P and Building Q

2. BCZR Sections 238.2 and 102.2 – to permit a 20 ft. setback in lieu of the required 60 ft. setback between the Office/Manager's Residence and Building M.

3. BCZR Sections 238.2 and 102.2 – to permit a 5 ft. setback in lieu of the required 60 ft. setback for the following:

- Between Building A and Building B
- Between Building C and Building D
- Between Building E and Building F

4. BCZR Section 238.2 – to permit a 0 ft. rear yard setback in lieu of the required 30 ft. setback for Building A and Building B.

5. BCZR Section 409.8A – to permit a 0 ft. setback for parking in lieu of the required 10 ft. setback pursuant to the Landscape Manual as adopted pursuant to Section 26-283 of the Baltimore County Code.

Record Description

Exhibit A
(Legal Description)

BEGINNING FOR THE SECOND AND BEING KNOWN AND DESIGNATED as Lot 2 as shown on a Plat entitled "Subdivision Plat of Lot One Diamond Point Plaza", which Plat is recorded among the Land Records of Baltimore County in Plat Book 66, page 32.

Survey Description

DESCRIPTION OF LOT TWO
DIAMOND POINT PLAZA
FIFTEEN ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at the point of intersection of the division line between Lot One and the herein described Lot Two with northernmost right-of-way line of Eastern Avenue as shown and delineated on a subdivision plat entitled "Lot One, Diamond Point Plaza" and recorded among the plat record books of Baltimore County, Maryland in Plat Book SM 66, Folio 32;

THENCE, leaving said beginning point so fixed and binding on the aforesaid Eastern Avenue the following three (3) courses and distances: (1) South 70° 30' 11" West 599.79 feet to an iron rod, (2) South 75° 11' 20" West 61.20 feet to an iron rod and cap set, and (3) North 80° 48' 07" West 65.49 feet to an iron rod and cap set;

THENCE, leaving said point so fixed and binding on the division line between the lands now or formerly of Russell R. Mirabile (see 10590/203) and the herein described lands, North 09° 11' 53" East 111.67 feet to an iron rod and cap set;

THENCE, leaving said point so fixed and binding on the division line between the lands now or formerly of William F. Sudek (see 6712/742), the lands now or formerly of Richard W. Schmitt (see 4964/53), and the herein described lands, North 87° 16' 31" East 66.31 feet to an iron rod and cap set, North 19° 32' 28" West 30.00 feet to a concrete monument found, North 70° 27' 32" East 125.00 feet to an iron rod and cap set, and North 19° 32' 28" West 150.00 feet to an iron pipe found in the southernmost side of Katherine Avenue;

THENCE, leaving said point so fixed and binding on the end of the aforesaid Katherine Avenue, North 06° 45' 34" West 40.61 feet to an iron rod and cap set;

THENCE, leaving said point so fixed and binding on the division line between the lands now or formerly of Jeffrey Pennington (see 9337/248) and the herein described lands, North 05° 44' 53" East 102.60 feet to an iron rod and cap set;

THENCE, leaving said point so fixed and binding on the division line between the aforementioned Lot One and the herein described Lot Two of Diamond Point Plaza, North 70° 27' 20" East 419.17 feet to an iron rod and cap set, South 64° 32' 40" East 5.71 feet to an iron rod and cap set, and South 19° 32' 40" East 424.09 feet to the place of beginning. Containing in all 5.28 acres of land more or less;

BEING OR INTENDING TO BE all of Lot Two as shown on the subdivision plat entitled "Subdivision of Lot One Diamond Point Plaza" recorded among the plat record books of Baltimore County, Maryland in Plat Book SM 66, page 32.

This describes the same property as insured by Title
Commitment No. 60109009, Dated August 23, 2001

#318

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07824

DATE 1-29-02 ACCOUNT 001-006-6150
AMOUNT \$ 550.00

RECEIVED Gilboa
FROM: ITEM # 314
TAKEN BY: JRP
FOR: 020 - VARIANCE - 050 SPECIAL EXCEPTION

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
1/30/2002 1/29/2002 15:51:51

REG 0506 CASHIER KAREN KAM DROMER 4
RECEIPT # 063906 DELI
Desc 5 528 ZONING VERIFICATION
CR NO. 007824

Receipt Tot 550.00
550.00 OK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-318-XA

8100 Eastern Avenue

N/S of Eastern Avenue, 1100' +/- W centerline Diamond Point Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Alan Smith

Contract Purchaser: Richard S. Tanner

Special Exception: for living quarters in a commercial building **Variance:** to permit a 30 feet setback in lieu of the required 60 feet for the following between Building A thru Building Q; to permit a 20 feet setback in lieu of the required 60 feet setback between Office/Manager's Residence and Building M; to permit a 5 feet setback in lieu of the required 60 feet setback for the following buildings A thru building F; to permit a 0 feet rear yard setback in lieu of the required 30 feet setback for building A and building B; and to permit a 0 feet setback for parking in lieu of the required 10 feet setback pursuant to the landscape manual.

Hearing: Tuesday, April 2, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 3/7/05 March 19

C526674

CERTIFICATE OF PUBLICATION

3/21, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/19, 2002.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-318-XA

Petitioner/Developer: RICHARD S.

TANNER

Date of Hearing/Closing: 4/2/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 8100 EASTERN AVE

The sign(s) were posted on 3/18/02
(Month, Day, Year)

Sincerely,

[Signature] 3/18/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

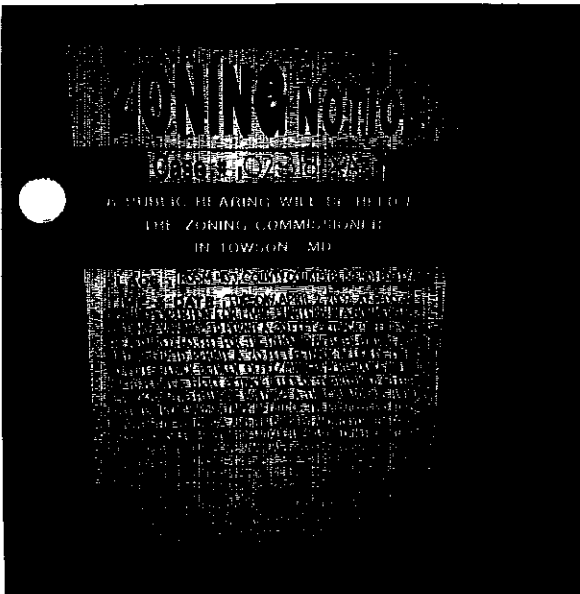
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 318

Petitioner: EXTRA SPACE STORAGE RICHARD TANNER

Address or Location: 8100 EASTERN AVENUE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: GILDEA, LLC

Address: 301 N. CHARLES STREET

BALTIMORE, MD 21201

Suite 800

Telephone Number: ~~410~~ (410) 234-0070

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 19, 2002 Issue – Jeffersonian

Please forward billing to:

David K Gildea
Gildea LLC
301 N Charles Street
Suite 800
Baltimore MD 21201

410 234-0070

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-318-XA

8100 Eastern Avenue

N/S of Eastern Avenue, 1100' +/- W centerline Diamond Point Road

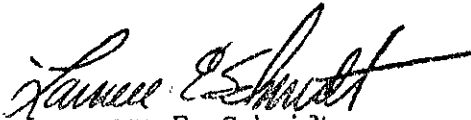
15th Election District – 7th Councilmanic District

Legal Owner: Alan Smith

Contract Purchaser: Richard S Tanner

Special Exception for living quarters in a commercial building. Variance to permit a 30 feet setback in lieu of the required 60 feet for the following between Building A thru Building Q; to permit a 20 feet setback in lieu of the required 60 feet setback between Office/Manager's Residence and Building M; to permit a 5 feet setback in lieu of the required 60 feet setback for the following buildings A thru building F; to permit a 0 feet rear yard setback in lieu of the required 30 feet setback for building A and building B; and to permit a 0 feet setback for parking in lieu of the required 10 feet setback pursuant to the landscape manual.

HEARING: Tuesday, April 2, 2002 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 25, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-318-XA
8100 Eastern Avenue
N/S of Eastern Avenue, 1100' +/- W centerline Diamond Point Road
15th Election District – 7th Councilmanic District
Legal Owner: Alan Smith
Contract Purchaser: Richard S Tanner

Special Exception for living quarters in a commercial building. Variance to permit a 30 feet setback in lieu of the required 60 feet for the following between Building A thru Building Q; to permit a 20 feet setback in lieu of the required 60 feet setback between Office/Manager's Residence and Building M; to permit a 5 feet setback in lieu of the required 60 feet setback for the following buildings A thru building F; to permit a 0 feet rear yard setback in lieu of the required 30 feet setback for building A and building B; and to permit a 0 feet setback for parking in lieu of the required 10 feet setback pursuant to the landscape manual.

HEARING: Tuesday, April 2, 2002 at 9.00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDL
Director

C: David K Gildea, Gildea LLC, 301 N Charles St, Ste 800, Baltimore 21201
Alan Smith Diamond Point Plaza Phase II, 16 Munson Road, Farmington CT 06032
Richard S Tanner, Extra space Storage, 934 Washington St, 3rd Flr,
Norwood MA 02062

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 18, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 29, 2002

Mr. David K. Gildea
Gildea LLC
301 N Charles Street
Suite 800
Baltimore MD 21201

Dear Mr. Gildea:

RE: Case Number: 02-318-XA, 8100 Eastern Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G & L
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Diamond Point Plaza Phase II, Mr. Alan Smith VP, 16 Munson Road,
Farmington CT 06032
Extra Space Storage, Mr. Richard S Tanner, 934 fWashington Street,
3rd Floor, Norwood MA 02062
People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: March 21, 2002

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for March 4, 2002
Item No. 318

The Bureau of Development Plans Review has reviewed the subject zoning item.

The developer must clarify the ownership of the sanitary sewer and the storm drain pipes show under the "E" and "Q" Buildings in the plan.

If these pipes are public, they must be relocated or the buildings moved to allow access for maintenance of the underground utilities.

RWB:HJO:cab

cc: File

ZAC-3-4-2002-ITEM NO 318-3212002.doc

ORDER RECEIVED FOR FILING

Date

By

4/16/02
RWB



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 25, 2002

Item No.: 285, 318, 320, 322, 324, 327, 329, 330

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *qbs/jbt*

DATE: March 25, 2002

Zoning Advisory Committee Meeting of February 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

318

285, 314-325, 327-329

file
4/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 4, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

MAR 4

SUBJECT: 8100 Eastern Avenue

INFORMATION:

Item Number: 02-318

Petitioner: Diamond Point Plaza Phase II, LLC
Konover Management Corporation

Zoning: BR

Requested Action: Special Exception/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning met with the applicant on January 28, 2002 and discussed certain revisions to the plan. As discussed in that meeting, this office will support the subject request to allow living quarters in a commercial building pursuant to Section 236.4 of the BCZR, contingent upon the following:

1. Reduce the number of doors visible along Eastern Avenue.
2. A decorative fence with brick piers and black aluminum pickets and rails shall be used along the Eastern Avenue frontage and along the east boundary of the parcel.
3. Signage shall be ground mounted and shall incorporate a brick base in the design.
4. The roof line of the buildings facing east and facing Eastern Avenue shall be revised to have a pitched roof.
5. End walls of the buildings facing Eastern Avenue shall be brick.

6. Submit a landscape plan to this office for review and approval prior to the issuance of any building permits. Said landscape plan should provide a double class A landscape screen along Eastern Avenue and along lot 1 boundary.

Prepared by: Mark A. Cunniff

Section Chief: John J. Urban

AFK/LL:MAC:

Log
4/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE AMENDED COMMENTS

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 21, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

MAR 22

SUBJECT: 8100 Eastern Avenue

INFORMATION:

Item Number: 02-318

Petitioner: Diamond Point Plaza Phase II, LLC
Konover Management Corporation

Zoning: BR

Requested Action: Special Exception/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow living quarters in a commercial building pursuant to Section 236.4 of the BCZR. The Office of Planning met with the applicant on March 14, 2002 and discussed certain revisions to the plan, architectural elevations, signage and fencing. The following issues have been addressed on the plans submitted on March 14, 2002:

1. The elevations facing Eastern Avenue have been revised to reduce the number of doors.
2. A decorative fence with brick piers and black aluminum pickets and rails will be used along the Eastern Avenue frontage and along the east boundary of the parcel.
3. Signage will be ground mounted and will incorporate a brick base in the design.
4. The roofline of the buildings facing east and facing Eastern Avenue will be pitched.
5. The end walls of the buildings facing Eastern Avenue will be brick.



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.25.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 318 JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

K Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE

8100 Eastern Avenue, N/S Eastern Ave,
1100' +/- W of c/l Diamond Point Rd
15th Election District, 7th Councilmanic

Legal Owner: Diamond Point Plaza Phase II LLC by
Konover Mgmt. Corp.

Contract Purchaser: Extra Space Storage
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case No. 02-318-XA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of February, 2002 a copy of the foregoing Entry of Appearance was mailed to David K. Gildea, Esq., Gildea, LLC, 301 N. Charles Street, Suite 800, Baltimore, MD 21201, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Sebastian Cross

John Englar

Mal Willis

ADDRESS

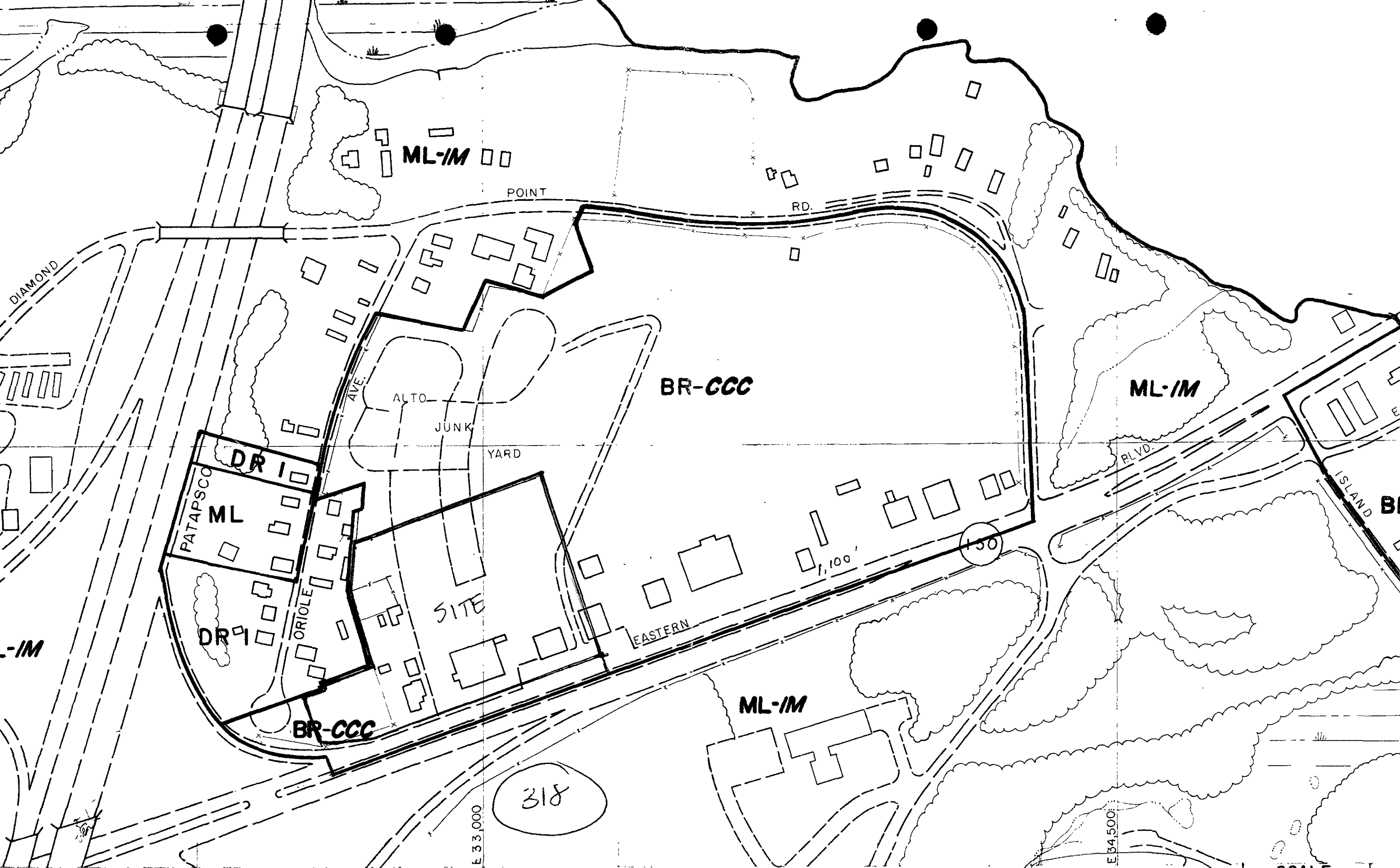
G:lden LLC

301 N. Charles St. Balt. 21201

934 Washington St.
Norwood, MA 02062

Burgess & Niple, Inc.
170 Collins Ave.
Rockville, MD 20850





ML-1M

POINT

RD.

DIAMOND

AVE.

ALTO

JUNK

YARD

BR-CCC

ML-1M

PLVD.

PATAPSCO

DR-1

ML

DR-1

BR-CCC

SITE

EASTERN

ML-1M

ISLAND BL

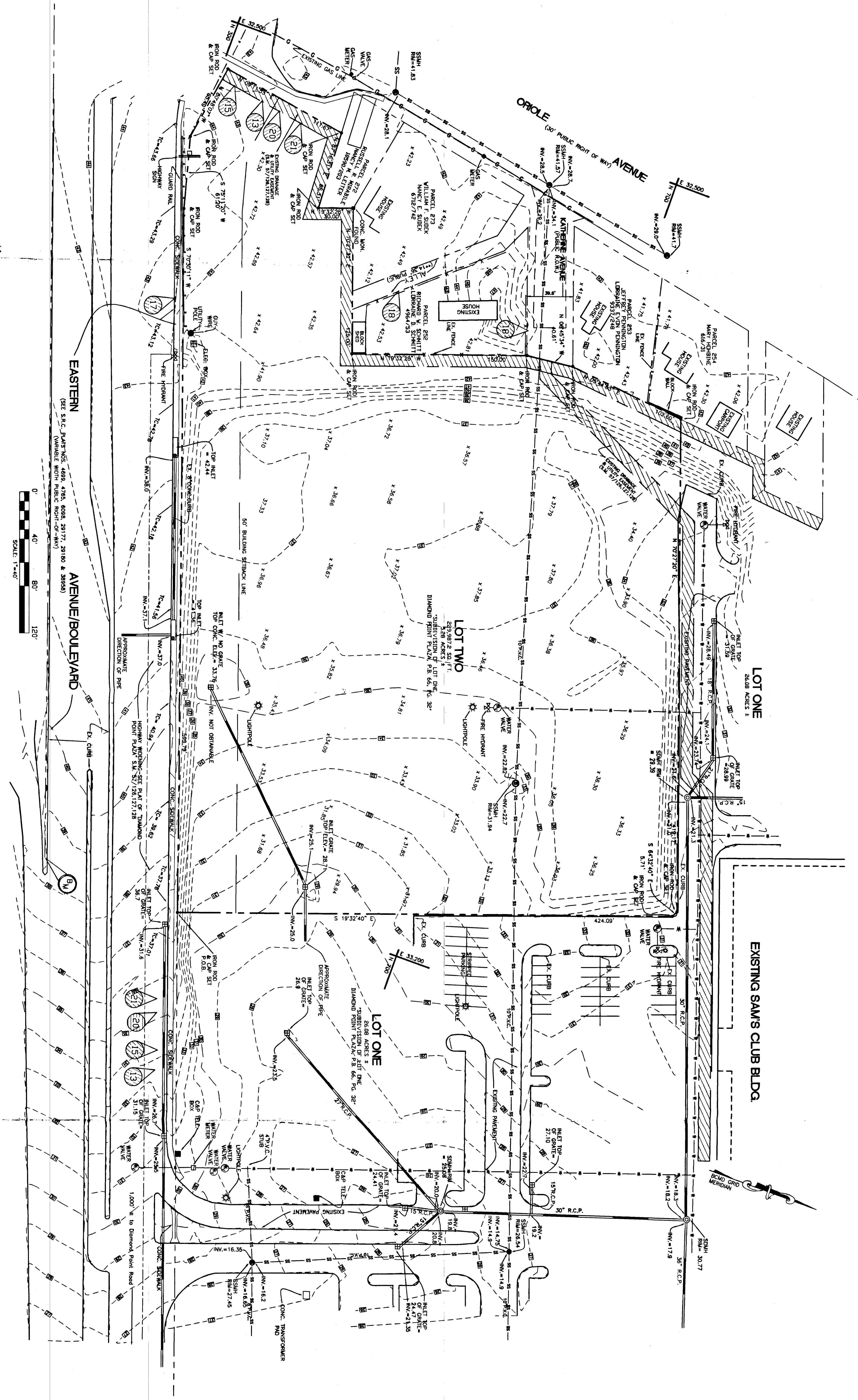
(SHEET SE 1-F)

BALTIMORE COUNTY

SCALE

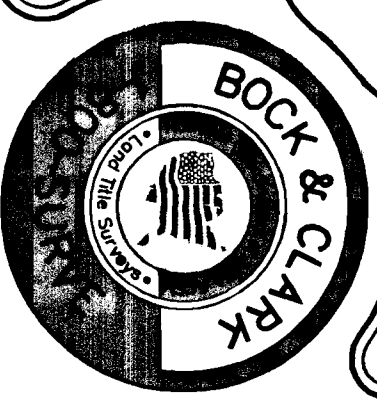
1" = 200' ±

NE 1 F



** NOTE: ACCORDING TO A PLAT ENTITLED "SUBDIVISION OF DIAMOND POINT PLAZA", RECORDED IN P.B. 57, PAGE 128; THIS ALLEY APPEARS TO BE FOR PUBLIC USE, SUBJECT TO A TITLE SEARCH FOR PARCELS 273 & 252.

ALTA/ACSM LAND TITLE SURVEY
PREPARED FOR:
EXTRA SPACE STORAGE, LLC
DATE: 10/13/01
Project No. 20010677-1
Sheet 2 of 2



Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Massillon Road Akron, Ohio 44333
Phone: (800) Surveys, Fax: (330) 666-3608 www.1800surveys.com

SITE DATA

Existing Zoning and Maximum Density Permitted

Zone	Acres	Units Allowed	Units Proposed
DR 3.5	19.5	68.3	58
DR 16	0.4	6.4	0
Total	19.9	74.7	58

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Proposed	Phase	Development Schedule
SINGLE FAMILY	58	116	116		4/02
Total	58	116	116		

OPEN SPACE PROPOSAL

Open Space Type	Acres
Local Open Space	1.34
Baltimore County Greenway/Easement	N/A
Stormwater Management	0.77
Total Provided	2.11

ADDITIONAL INFORMATION

Anticipated Actions:
 Waivers - of Public Works Standards for Road Improvements to
 Lenings Lane along the property frontage.
 Special Exceptions - NONE
 Other - NONE
 Consistency with design manuals? YES

OPEN SPACE CALCULATIONS
 ACTIVE REQ'D 58 x 650 = 37700 S.F. OR 0.87 AC.±
 PASSIVE REQ'D 58 x 350 = 20300 S.F. OR 0.47 AC.±
 TOTAL PROVIDED 37700 S.F. OR 0.87 AC.±
 PASSIVE 20300 S.F. OR 0.47 AC.±

HEARING OFFICER'S DEVELOPMENT PLAN ORDER

CASE NO. XIV-402

THEREFORE, IT IS ORDERED by this Zoning Commission/Hearing Officer for Baltimore County this 14th day of June, 2002 that the red-lined development plan for Lenings Crossing, identified herein as Developer's Exhibit 1C, be and is hereby APPROVED, subject to the following restrictions:

1) The Developer shall meet with Mr. Miner to identify those trees located on Mr. Miner's property which might be impermissibly damaged as a result of the clearing and grading on the subject property and agree to remove same at no expense to Mr. Miner.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

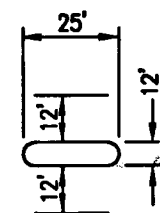
Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 Zoning Commission/Hearing Officer
 for Baltimore County

LES:bj

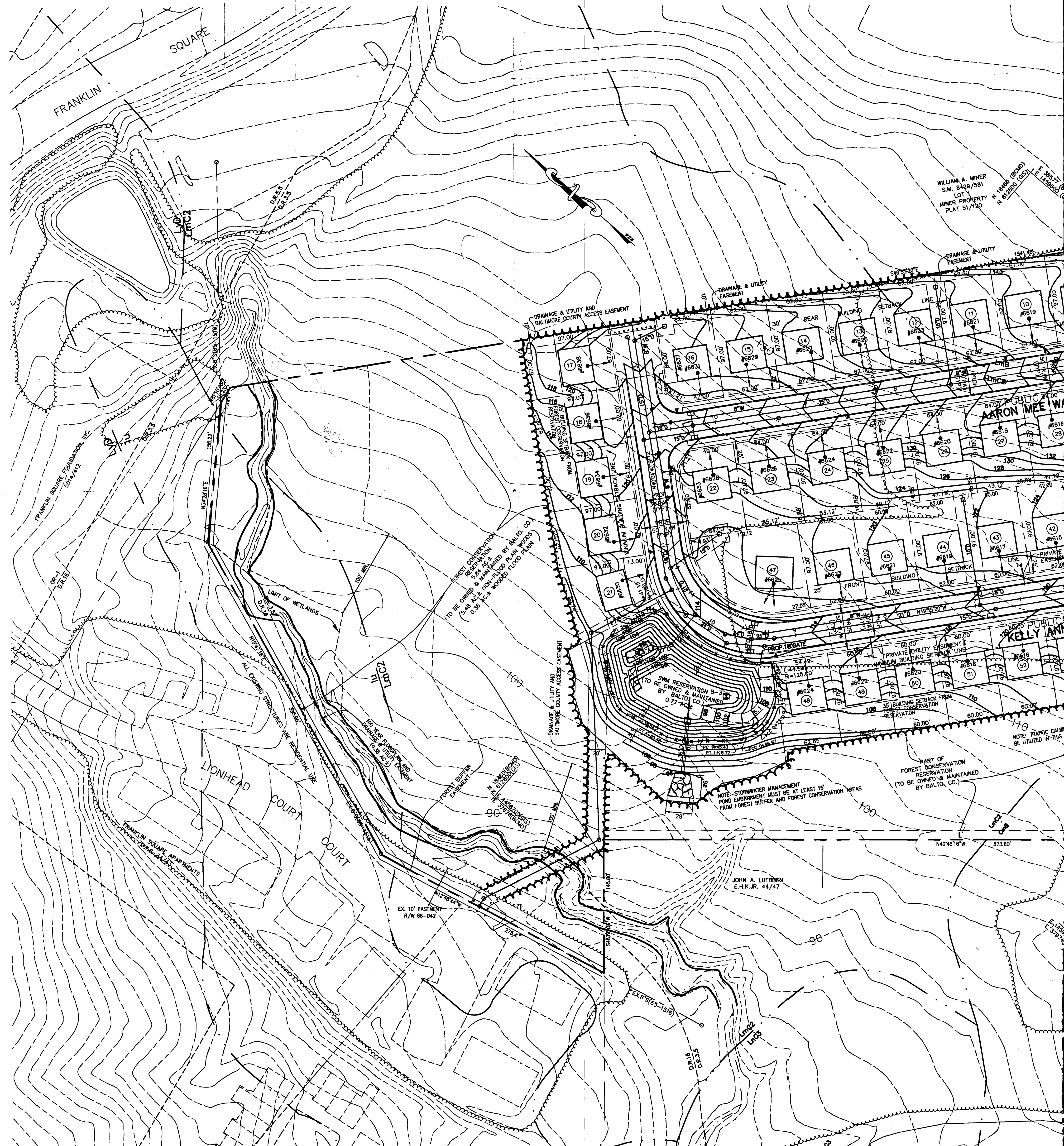
BEST MANAGEMENT PRACTICE NOTE

THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE 2000 MARYLAND STORMWATER DESIGN MANUAL.

BEST MANAGEMENT PRACTICES (BMP) TO BE INCORPORATED INTO THE DEVELOPMENT OF THIS SITE INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
 - AN UNDISTURBED FOREST BUFFER & CONSERVATION # WILL BE CREATED AND MAINTAINED (NATURAL AREA C-1)
 - LOTS 17 THRU 21 AND 48 THRU 56 WILL INCORPORATE SPECIALLY DESIGNED TO DIRECT RUNOFF FROM THE NATURAL AND UNDISTURBED FORESTED AREA (SHEET 1)
 - AN EXTENDED DETENTION STORMWATER MANAGEMENT TREAT FUNDY FROM THE REMAINDER OF THE SITE TO AND QUALITY IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL DESIGN, CONSTRUCTION AND MAINTENANCE OF THE # WILL NOT CREATE ANY ADVERSE EFFECTS OR OBJECTIONS



TRAFFIC CALMING DEVICE
 NOT TO SCALE



I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE APPROVED 1ST AMENDED DEVELOPMENT PLAN DATED 5/27/2003, AND HAVE PREPARED WITH DUE DILIGENCE THE 1ST AMENDED FINAL DEVELOPMENT PLAN PURSUANT TO THAT APPROVED 1ST AMENDED DEVELOPMENT PLAN.



W. DUVALL & ASSOCIATES, INC.
 ENGINEERS - SURVEYORS - LAND PLANNERS
 530 EAST JOPPA ROAD
 TOWSON, MARYLAND 21286
 Phone: 410.583.9571
 E-mail: wduvall2@qwest.net

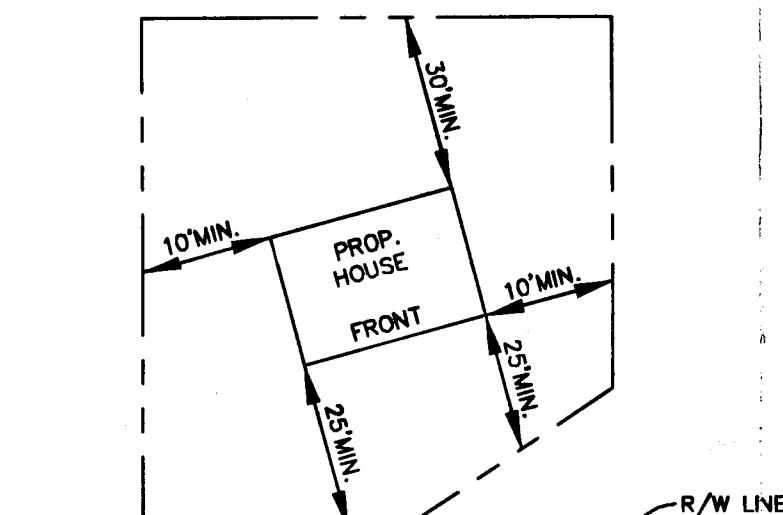
I, WILBUR L. DUVALL, JR. CERTIFY UNDER OATH, THAT TO THE BEST OF MY KNOWLEDGE, THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

ED IN
LIMITED TO,
RESERVATION
(CONSERVATION)
TE GRADING
LOTS TO A
FLOW TO BUFFER AREA)
FACILITY WILL
IN BOTH QUANTITIES
D. FEDERAL GUIDELINES
IMPOSED BMP's
IBLE HAZARDS.

DIRECTOR OF PDM NOTE
This development plan is approved by the Director of PDM based on his interpretation of the Zoning Regulations, that it complies with present policy, density and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated on said plan. Utilization will now occur when a dwelling is constructed and transferred for the purpose of occupancy.

ACCESSORY STRUCTURE NOTE
Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelopes, but must comply with sections 400 and 301 and section 260 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.)

WALKWAY AND ACCESS EASEMENTS (where applicable)
If drainage, utility and walkway access easements are fenced, the at least 5 feet must remain open for pedestrian access.



TYPICAL BUILDINGS SETBACKS DETAIL
NOT TO SCALE

"THIS SITE IS SUBJECT
TO SECTION 260 BCZR"

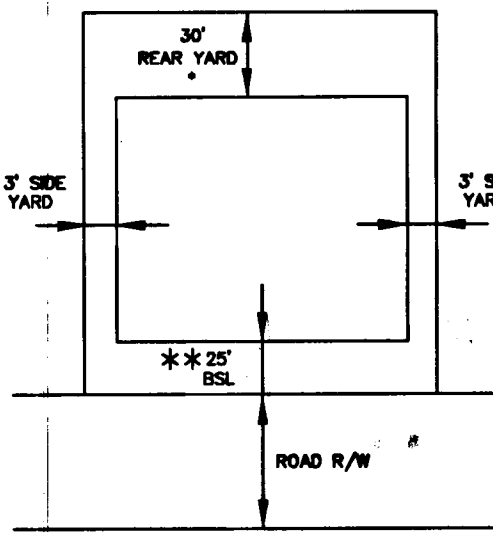
D.R. Setback
Envelopes of typical dwellings as shown, depict a specific orientation which is intended to allow compliance with Baltimore County Zoning Regulations and policies. Should the orientation change or create conflicts with the regulations or policies, the orientation must be changed to alleviate the conflict.

NOTE
The maximum building height shall be 50'

SETBACK REQUIREMENTS
BUILDING FRONT TO R/W OR P 25' **
BUILDING SIDE TO BUILDING SIDE 15' - < 20' HEIGHT
BUILDING REAR TO R/W OR P 20' - > 20' HEIGHT
BUILDING SIDE TO R/W OR P 30' **
TRACT BOUNDARY 15'

NOTE:
TYPICAL BUILDINGS AS SHOWN ON THESE SINGLE FAMILY LOTS INDICATE A SPECIFIC ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH THE BALTIMORE COUNTY ZONING THE SETBACKS REQUIRED BY SECTION 1801.2.C.1. OF THE BALTIMORE COUNTY ZONING REGULATIONS MUST BE MET.

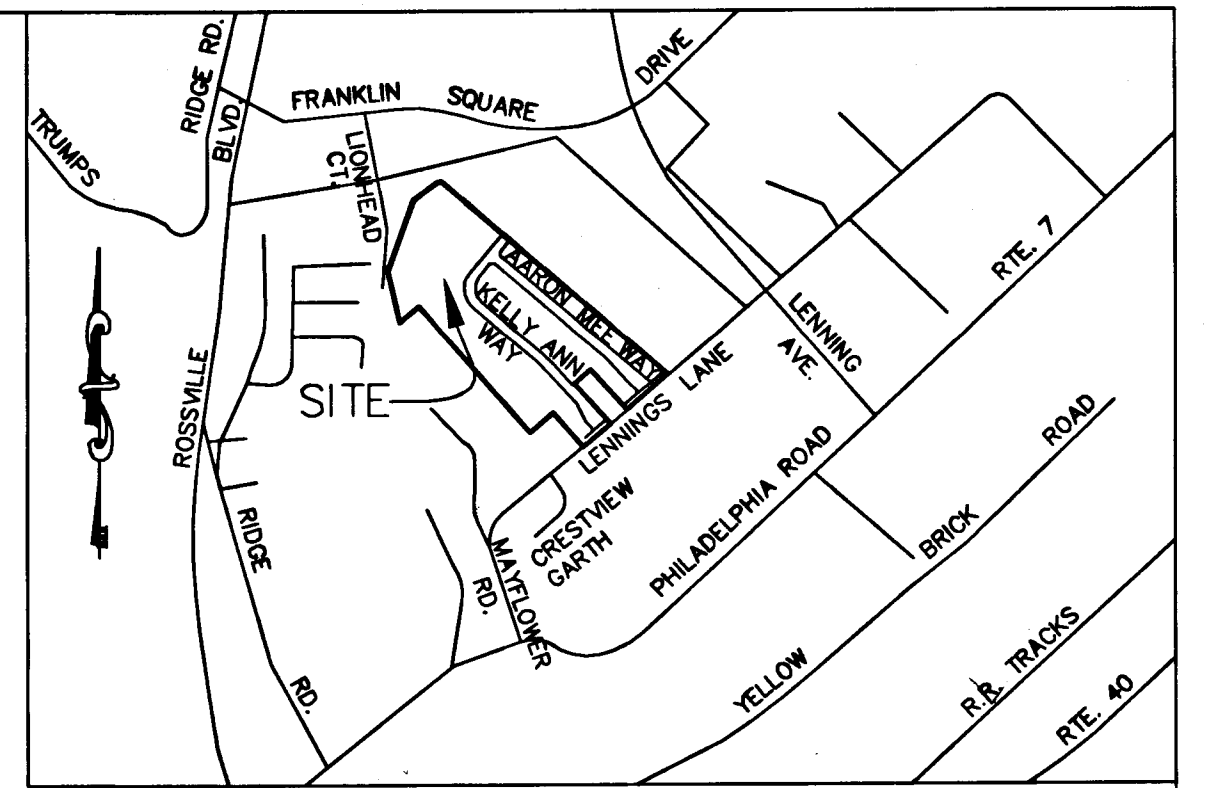
NOTE:
LOTS 1, 36 & 58 ARE SUBJECT TO FRONT AVERAGING SETBACK REQUIREMENT.



MAXIMUM BUILDING ENVELOPES
(TYPICAL)

* NOTE: SETBACK ADJACENT TO FOREST CONSERVATION RESERVATION SHALL BE 30'

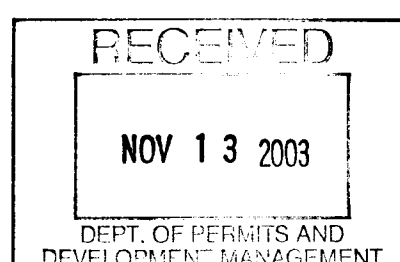
** NOTE: GARAGE FACE TO R/W SHALL NOT BE LESS THAN 22'



VICINITY MAP
1"=1000'

GENERAL NOTES

- APPLICANT:
Lennings Crossing, LLC
c/o Maryland Landmark, LLC
P.O. Box 216
Kingsville, Md. 21087
- SITE LOCATION:
Election District No. 14 Councilmanic District No. 6
Watershed No. 22 Subwatershed No. 2
Census Tract #4407
- DEED REFERENCES:
14376 / 103 & 14966 / 205 & 15176 / 888 & 15682 / 701
2300008238 & 1406059960 & 1411079450 & 2000012687
Tax Map No. 90 82 90 90
Parcel 320 708 743 289
Grid 1 19 2 1
Area 9.167 5.48 1.27 4.2642
- PROPERTY INFORMATION:
Ownership:
Lennings Crossing, LLC
c/o Maryland Landmark, LLC
P.O. Box 216
Kingsville, Md. 21087
- REFERENCE FOR EXISTING FEATURES SHOWN ON PLAN:
A. Topography shown hereon is based on Baltimore County 200 scale GIS Title 803.
B. Property outline shown is taken from deed information and plots of surrounding properties.
C. Existing zoning is DR3.5 & DR16 200 scale map.
D. Soil lines and types shown are taken from Baltimore County USDA Soils Map No. 40.
- GENERAL INFORMATION:
A. Existing use on site: Vacant
Proposed Use: Single Family Detached (All lots are for sale)
B. Stormwater Management is provided on site.
C. Existing land use within 200' of site is single family & multi-family residential.
D. Wetlands shown hereon have been field verified.
E. There are no known endangered species habitats, archaeological or historical sites or contaminated areas on the subject property.
F. Average daily trips (A.D.T.'s) for this site shown thus: 20
G. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement, and Forest Conservation Reservation except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
H. Any Forest Buffer Easement, and Forest Conservation Reservation shown hereon is subject to protective covenants which may be found in the land records of Baltimore County and which restrict disturbance and use of these areas.
I. Sidewalk to be provided adjacent to all public roads.
J. Site is located in the Stemmers Run Watershed drainage area.
K. School Districts: Shady Spring Elementary School
Golden Ring Middle School
Overlea High School
L. This property as shown on the plan has been intact since prior to 1971.
The Developer's Engineer has confirmed that no part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density or area to support any off-site dwelling.
M. There are no known underground storage tanks, wells, or septic systems on site.
N. This site has no known prior zoning history.
O. All signage to comply with Section 450 of the BCZR.
P. Bureau of Traffic Engineering and Transportation Planning has confirmed that the subject site is not within a traffic deficient area. The site is not in any failed basic service areas.
Q. No utilities, whether public or private, including, but not limited to, telephone, cable, television, gas & electric, water, sewer, and storm drains shall be placed or constructed on or within the Forest Buffer Easement, and Forest Conservation Reservation shown hereon is reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts.
R. The design construction and installation of all amenities shown on the Development Plan shall be the responsibility of the Developer.
S. A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from the regulations for the protection of water quality, streams, wetlands, and floodplains. The forest buffer easement and/or reservation shown hereon is reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts.
T. Areas between the sight lines and the curb lines must be cleared, graded and kept free of any obstructions.
U. A landscape plan shall be approved prior to the issuance of a building permit. Landscaping to conform with sidewalk / tree placement of Baltimore County Specification (Detail Plate C-54).
V. The Development Plan for the property shown on this Plan was Approved on 7/9/2002.
W. Parking Spaces shall be a minimum of 9' wide x 18' Deep.
X. All lots for sale.
- A. Lots 1 and 36 shall have driveway access from Aaron Mee Way, and Lot 58 shall have driveway access from Kelly Anne Way.
B. Install "Class A" screening along the side property line / right-of-way line of houses on corner lots.
C. Traffic calming devices shall be installed if, and as, required.
D. The following provisions of the Zoning and District Regulations shall apply to this Development Plan:
206.6 Buildings:
1. Provide variety in housing types or design, while maintaining continuity in scale, rhythm, proportion, and detail.
2. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops into front building facades.
3. Adhere to a consistent front building setback for all dwellings on the same street or square, so that the fronts of dwellings define a uniform street edge.
4. Design decks, balconies, and porches as components of the building following dominant building lines, proportions, and style, and, in a scale appropriate to the available space on the site. Decks shall be screened to minimize visibility from a public street.
5. Design accessory structures at a scale appropriate to the dwelling and design storage buildings and garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch and style.
6. Extend the finish material of the exterior of buildings to grade, or, if this is not possible, to within 12 inches of grade on all sides of the building excluding foundation walls, which shall use a finished quality material such as decorative concrete with a brick pattern or stucco, and provide landscaping along the foundation.
7. Use similar materials and design elements on all buildings facades using coordinated architectural features such as porches, windows, doors, chimneys, gables, and dormers.
B. Garages may not become the dominant street feature. Garage doors shall use items such as windows, decorative patterns, and color to relieve the visual impact of the house from the street.
7. A crusher run road for access to buildings and required water supplies shall be available for use by emergency fire apparatus and capable of handling emergency apparatus weighing 65,000 lbs. when construction of any building(s) is under roof in accordance with the Baltimore County Fire Prevention Code, Section 29-2.3.1.
8. All existing buildings, structures, and/or foundations within the boundary of the proposed development site shall be razed by the developer's contractor during the clearing and grading phase of the site development. All demolition shall be removed from the proposed development site and disposed of on an approved site with approved and permitted sediment measures installed and in working order.
9. The design and placement of signage and entrance treatment shall be submitted to Baltimore County for their review and approval. All such improvements require permitting prior to construction.
10. All Local Open Space shall be in compliance with the Local Open Space Manual, Latest Edition.
11. Temporary open space boundary markers, tree protection devices and four foot high snow fencing or approved equivalent shall be installed prior to any clearing or grading.
12. Within the area shown as open space, disturbance beyond that which is shown on the development plan shall not be allowed without prior approval from the department of Recreation and Parks.
13. Channels exist on-site that may be regulated by the U.S. Army Corps of Engineers (COE) as Waters of the U.S. in accordance with the recent guidance found in the 2000 Nationwide Permit. These same areas may not be regulated by Baltimore County Code. You are advised that COE permits may be required to impact these channels. Based on these refined criteria, the COE can take jurisdiction on projects, including those under construction, and issue "Stop Work" orders and / or "Violation" notices.
14. An Environmental Agreement (EA) must be submitted prior to building or grading permits.
15. EIR needs to review the following plans during Phase II:
a. Grading and Sediment Control
b. Stormwater Management and Water Quality Plans for:
1. Suitable Outfall
2. Final Forest Conservation Plan



2ND AMENDED FINAL DEVELOPMENT PLAN
LENNINGS CROSSING

COUNCILMANIC DISTRICT 6

ELECTION DISTRICT 14 BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50' DATE: FEBRUARY 6, 2003

SHEET 1 OF 1
PDM FILE XIV-402

OFFICE OF PLANNING AND ZONING
Approved by:

[Signature]
Director of P.D.M.

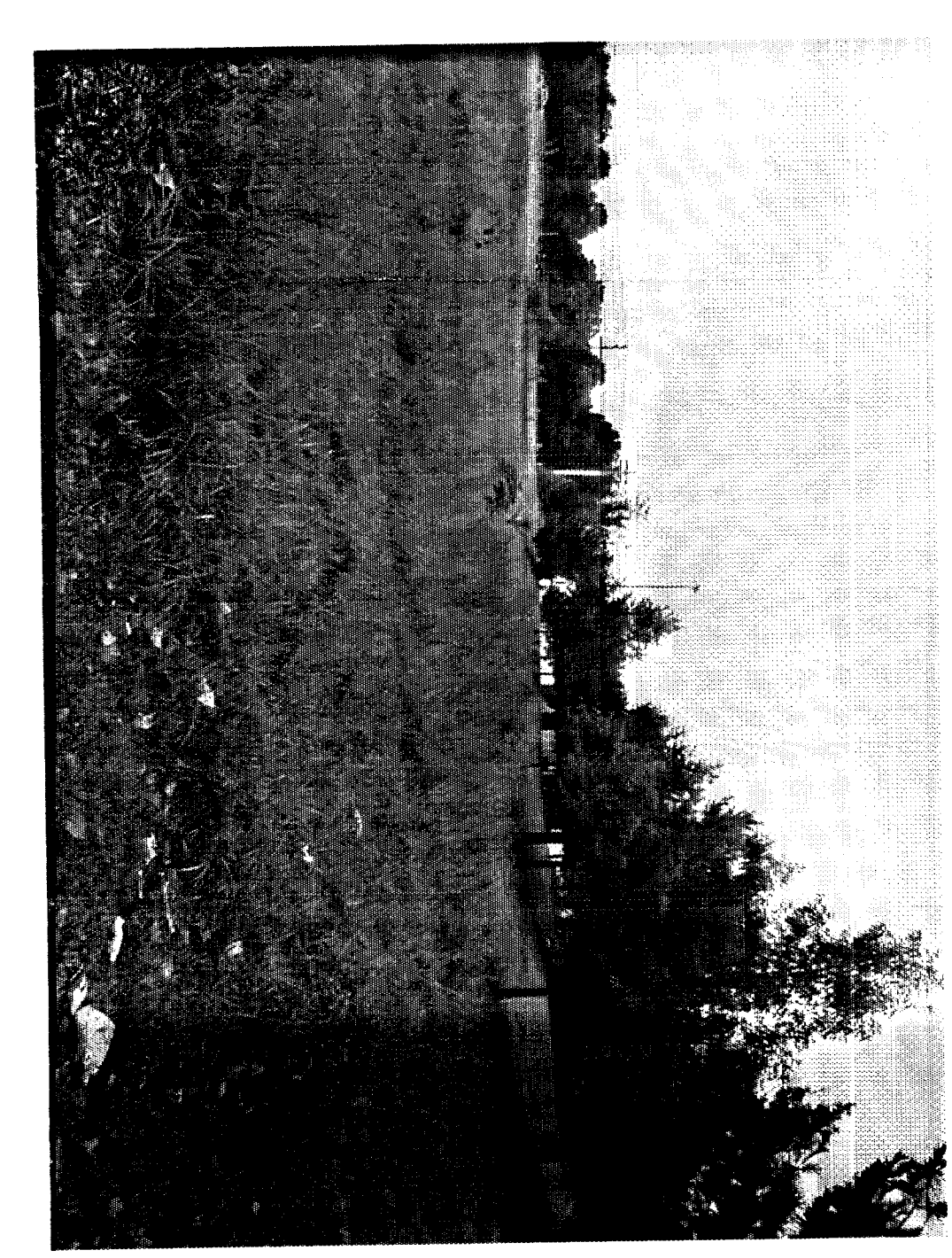
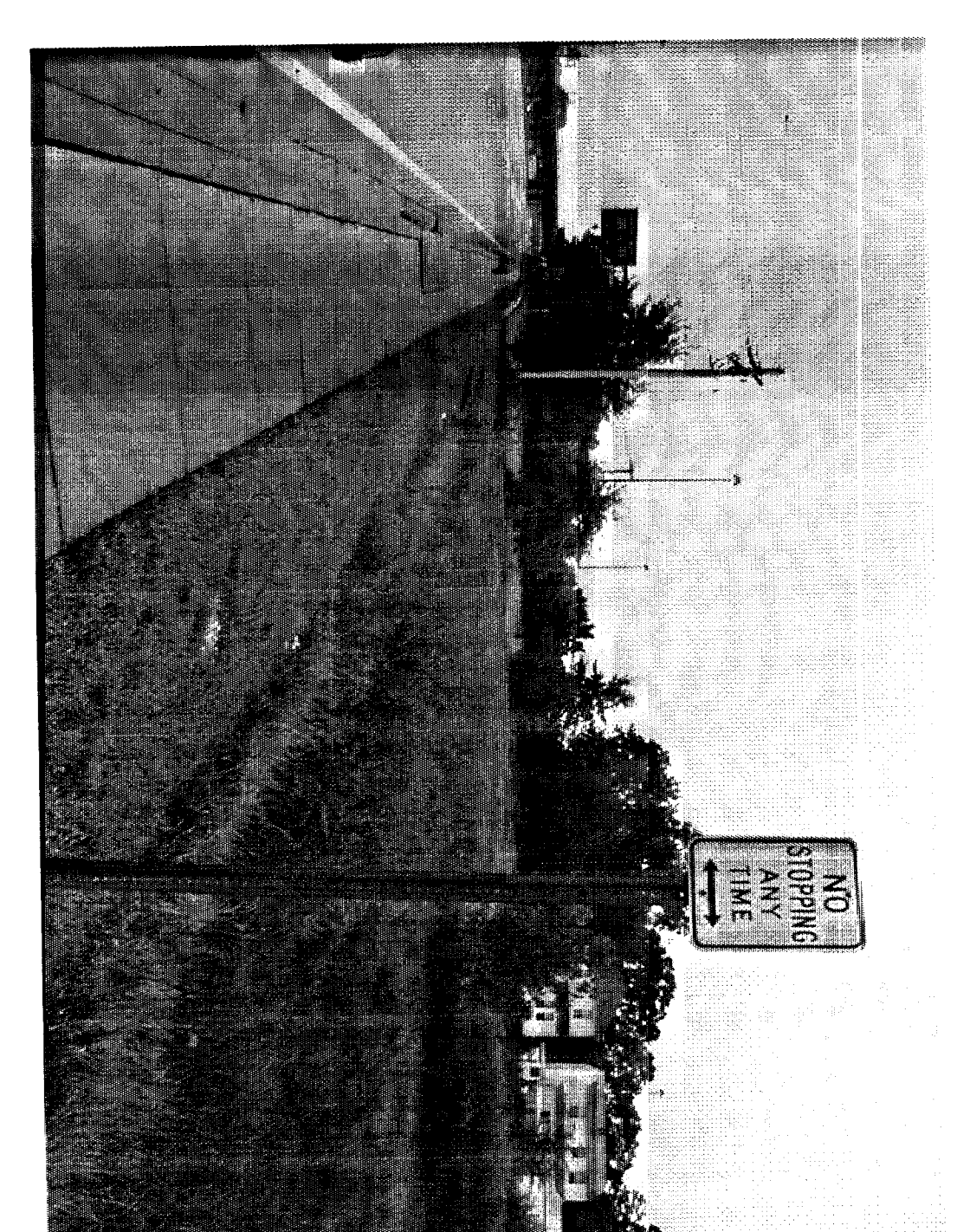
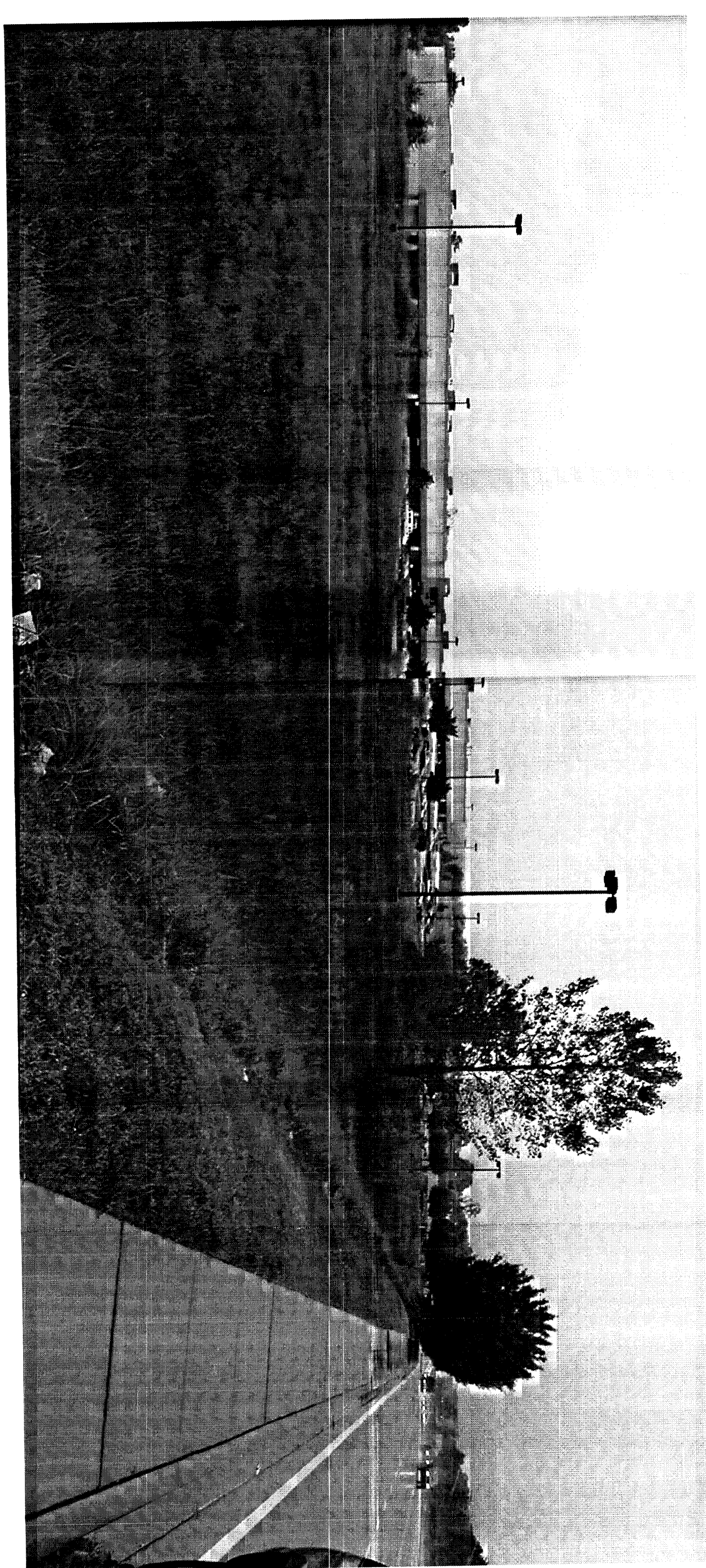
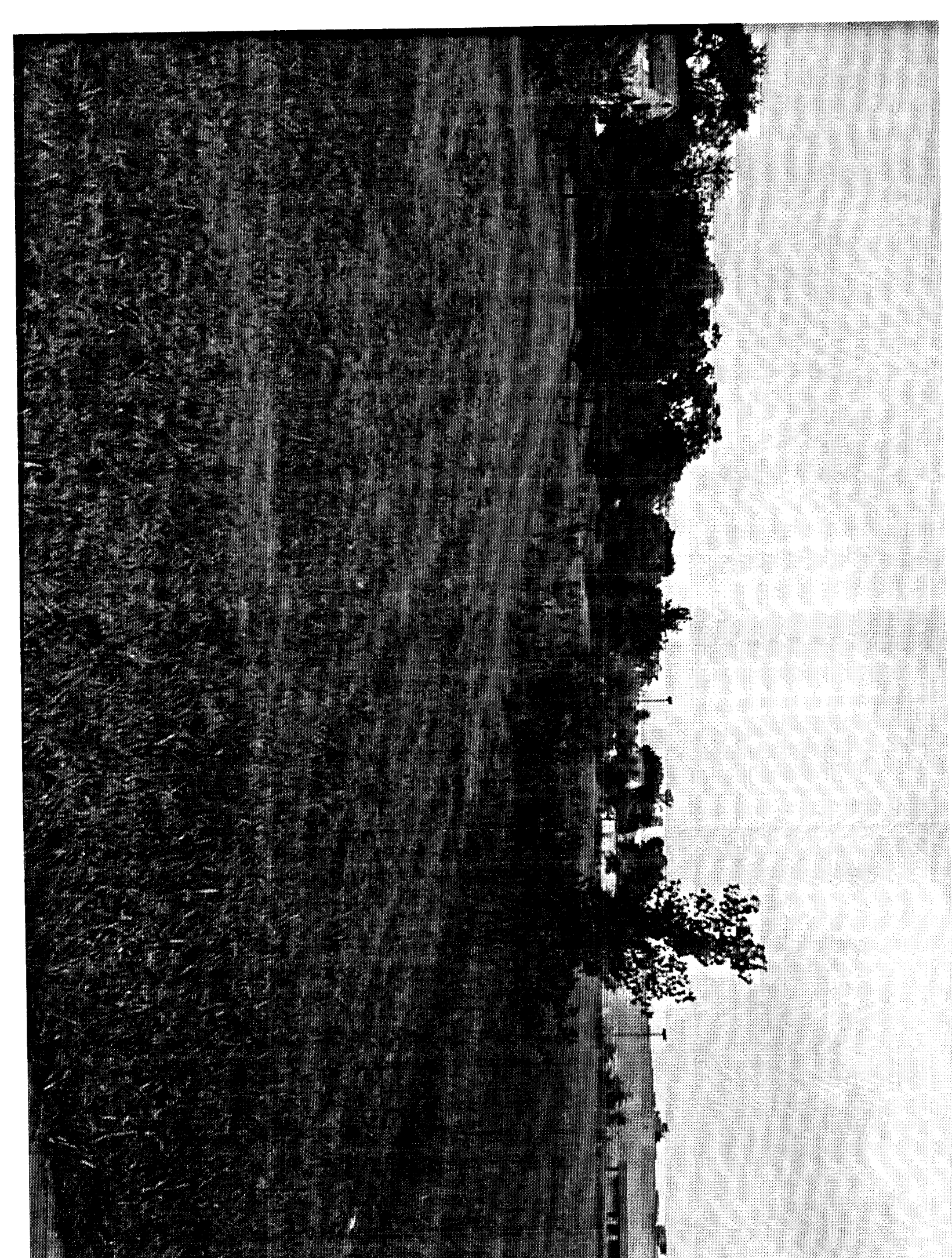
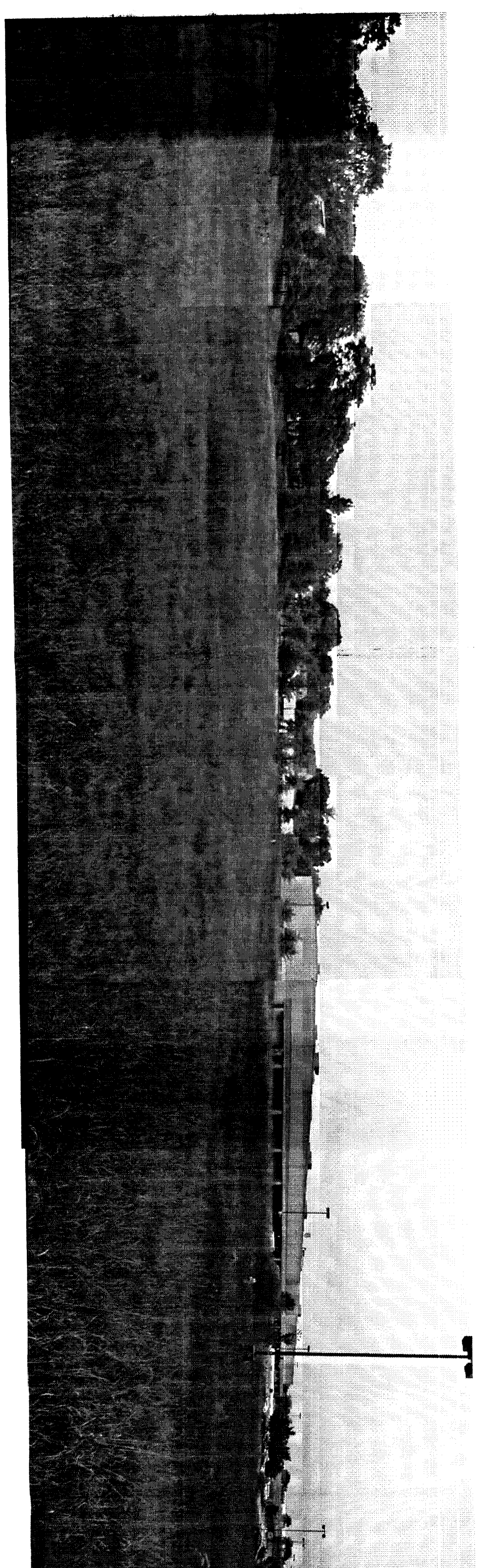
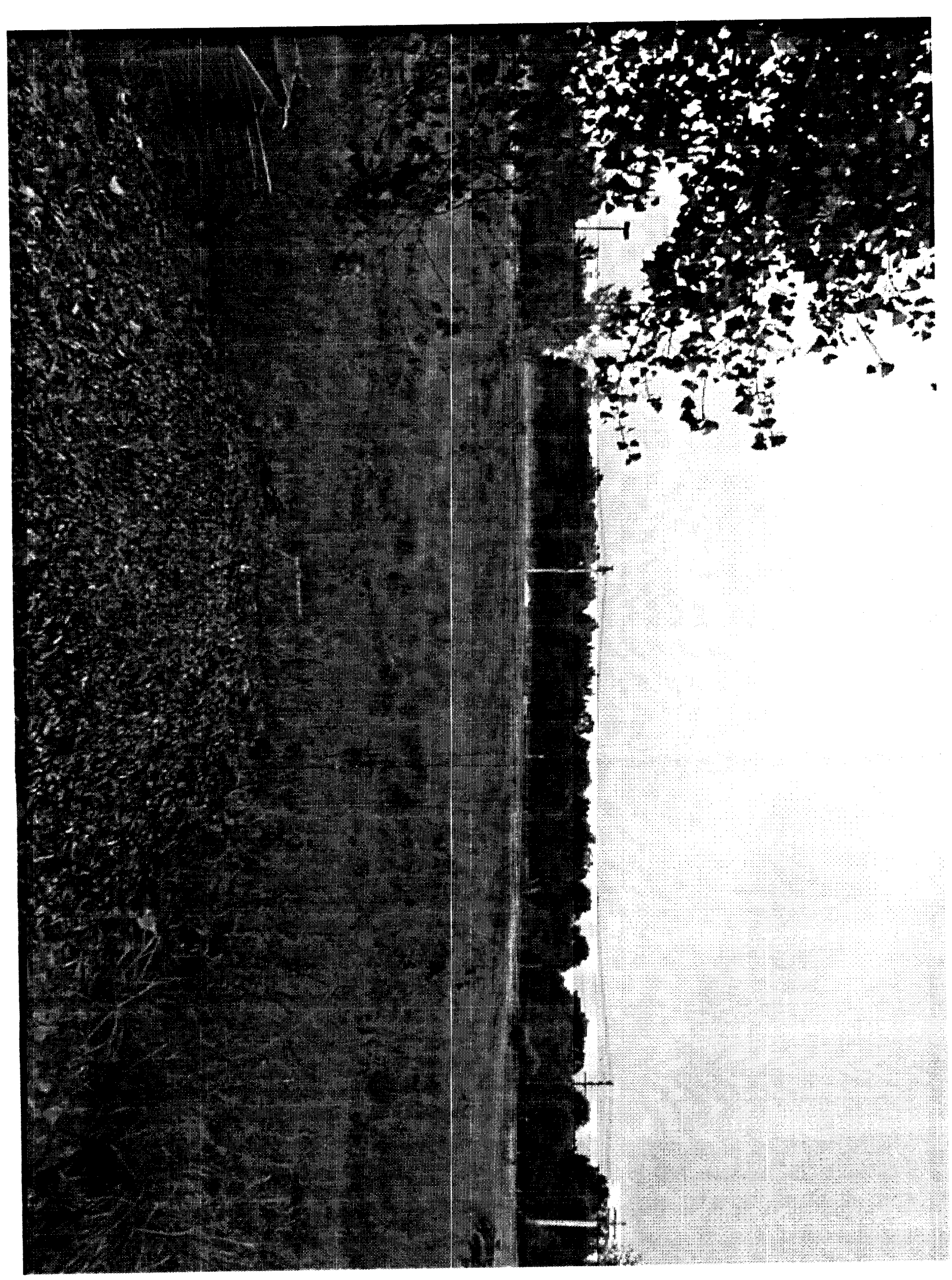
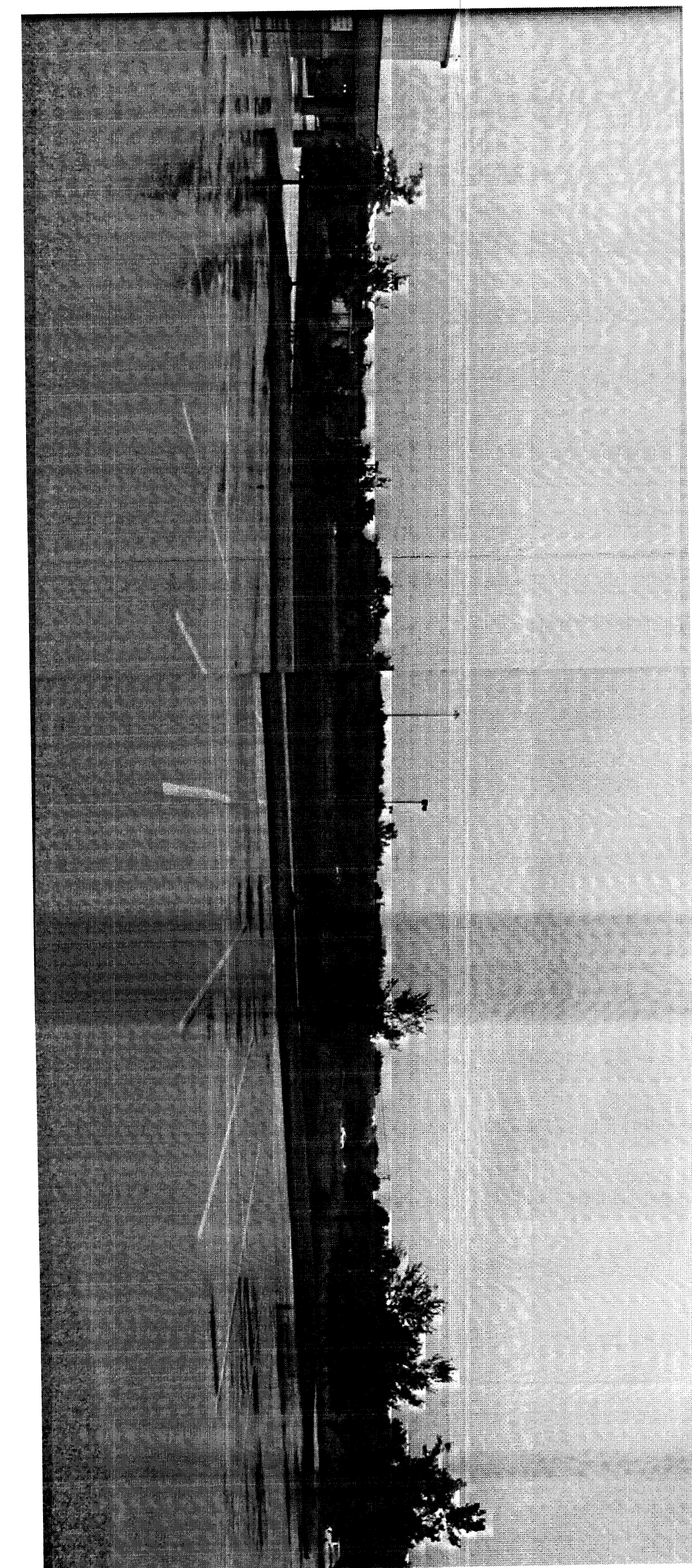
DATE	REVISION	BY
5/28/2003	REVISED TO BE IN ACCORDANCE WITH THE 1ST AMENDED DEVELOPMENT PLAN AS APPROVED ON 5/27/2003.	W.D.A.
11/12/2003	REVISED FOR 2ND AMENDMENT - SEE REASONS FOR 2ND AMENDMENT	W.D.A.

REASON FOR 2ND AMENDMENT
1. TO REVISE THE 'SETBACK REQUIREMENTS' LIST AND 'MAXIMUM BUILDING ENVELOPES' DETAIL TO SPECIFY THAT THE MINIMUM SETBACK FOR GARAGES IS 22' FROM ROAD RIGHT-OF-WAY.
2. NO OTHER CHANGES WERE MADE TO THIS PLAN.
3. NO LOTS HAVE BEEN SOLD.

REASON FOR 1ST AMENDMENT
1. TO MAKE THE PLAN AND ALL NOTES MATCH THE 1ST AMENDED DEVELOPMENT PLAN WHICH WAS AMENDED IN ACCORDANCE WITH D.R.C. NO. 0407036, LETTER DATED APRIL 21, 2003.
2. NO LOTS SOLD WITHIN 300' OF AMENDMENT.

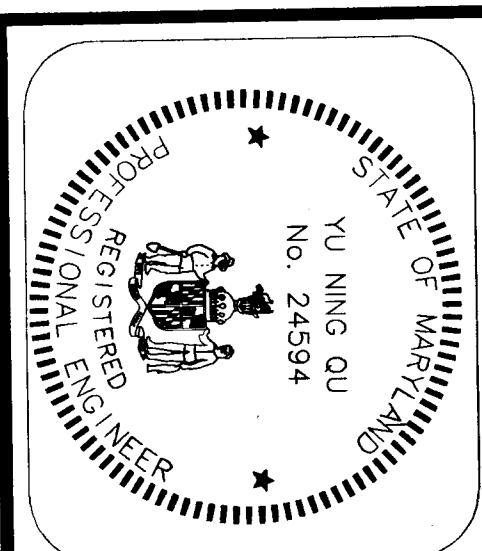
OWNER/DEVELOPER
LENNINGS CROSSING, LLC
c/o MARYLAND LANDMARK, LLC
P.O. Box 216
KINGSVILLE, MD. 21087
(410) 593-8881
DEED REF.: 14376/103, 14966/205
15176/888, 15682/701
TAX ACCOUNT NO.: 2000012687
2300008238
1411079450
1406059960

TO FILE



12/15

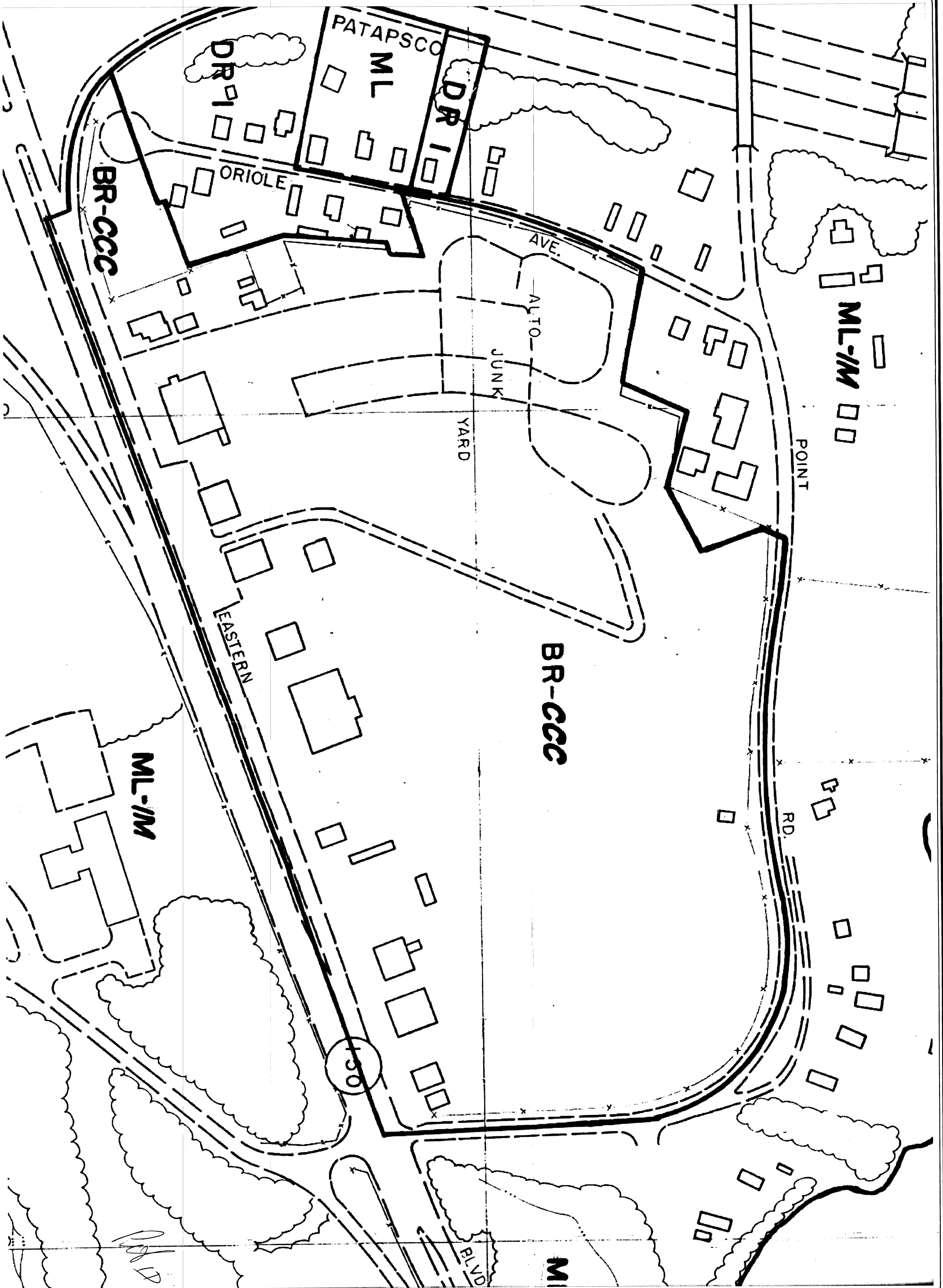
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DESIGN: NJM DRAWN: GSK
CHECK: MFW
JOB NO.:
P.R. NO.:
SHEET 1 OF 1
FILE NO.: 30679



PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL EXECEPTION AND VARIANCE
EXTRA SPACE STORAGE
DIAMOND POINT PLAZA
7TH COUNCILMATIC DISTRICT ESSEX, MARYLAND

REVISIONS	DATE

BURGESS & NIPLE
170 ROLLINS AVENUE ROCKVILLE, MARYLAND, 20852-4093
PH. (301) 468-0400 FAX (301) 465-9669

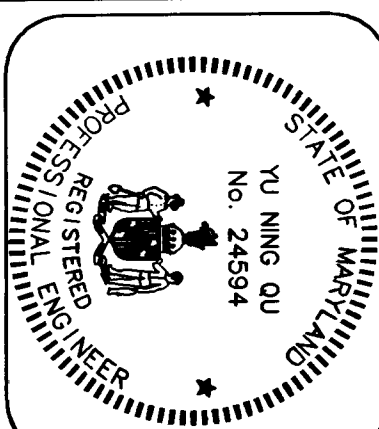


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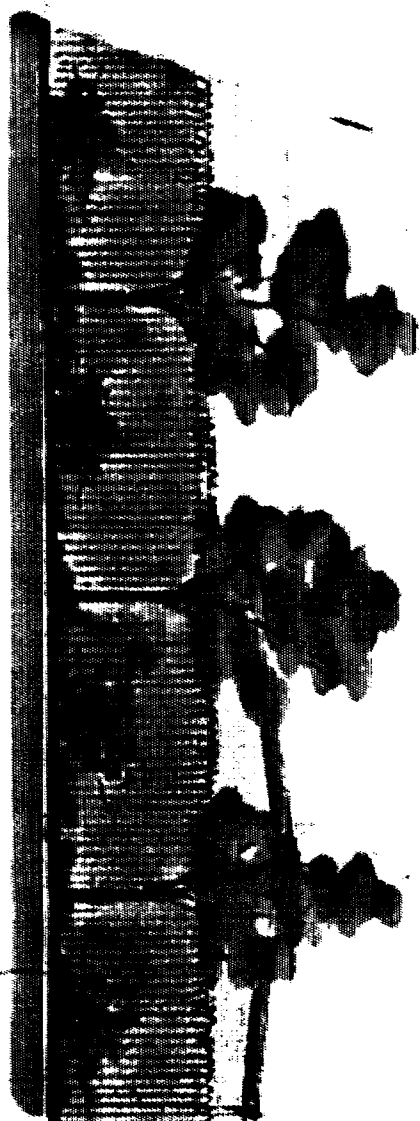
PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL EXECEPTION AND VARIANCE
EXTRA SPACE STORAGE
DIAMOND POINT PLAZA
7TH COUNCILMATIC DISTRICT ESSEX, MARYLAND

REVISIONS	DATE

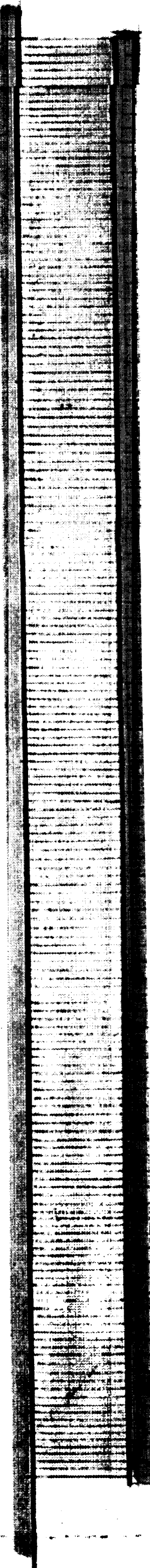
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P.R. NO.:
SHEET 1 OF 1
FILE NO.: 30679



BURGESS & NIPLE
170 ROLLINS AVENUE ROCKVILLE, MARYLAND, 20852-4099
PH. (301) 468-9400 FAX (301) 468-9669

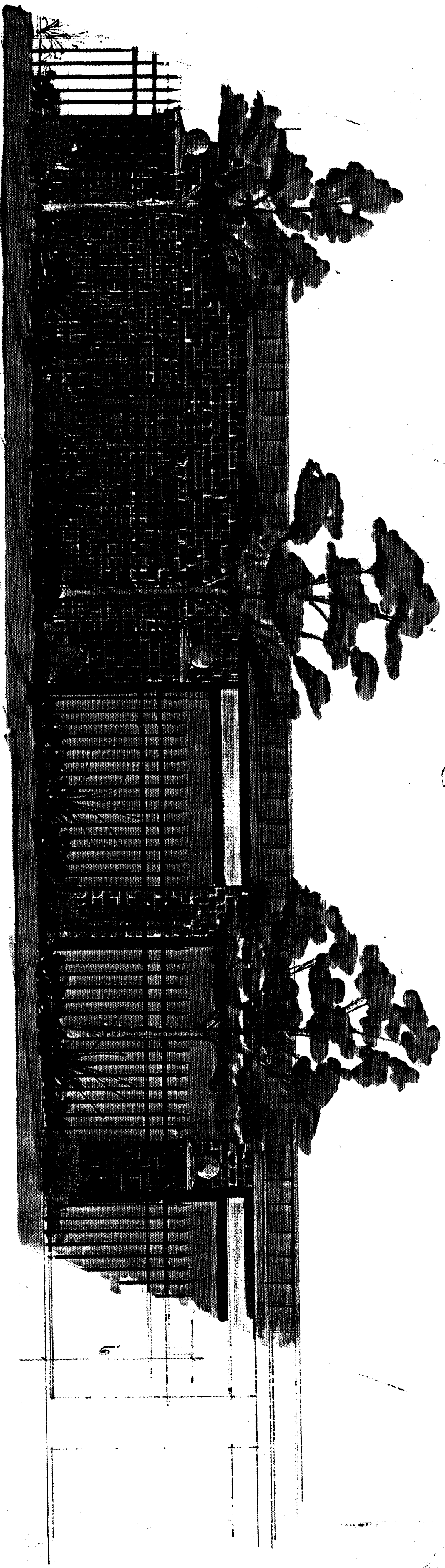


6' HIGH WOOD
STORAGE FENCE



PART FENCE ELEV.

PARTIAL NORTH ELEVATION



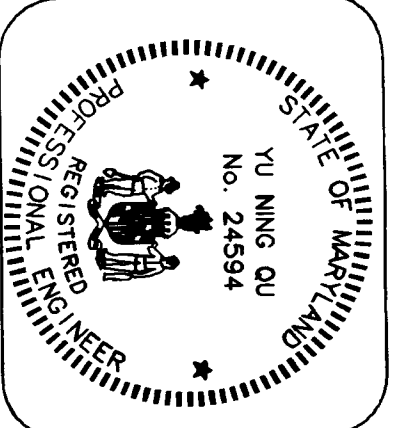
PARTIAL EASTERN AVENUE ELEVATION - ORNAMENTAL FENCE

14'-1'-0"

EXTRA SPACE STORAGE - BALTIMORE, MD

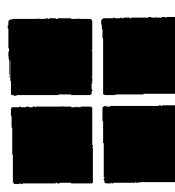
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JOB NO.:	MFV
P.R. NO.:	
SHEET:	1 OF 1
FILE NO.:	30679



PLAN TO ACCOMPANY PETITIONS FOR
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EXTRA SPACE STORAGE
DIAMOND POINT PLAZA
7TH COUNCILMATIC DISTRICT ESSEX, MARYLAND

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PH. (301) 468-9400 FAX (301) 468-9669

Drive Storage Unit Building

F.A.S.T. F.I.F.V.A.T.I.O.N. P.R.O.P.O.S.E.N.

Fence Residence

Office

Security Gate

PAINTED METAL HEADER

EXTRA SPACE GREEN MTL. ROOF
BRICK PIERS
EXTRA SPACE GREEN
ROLL-UP DOORS

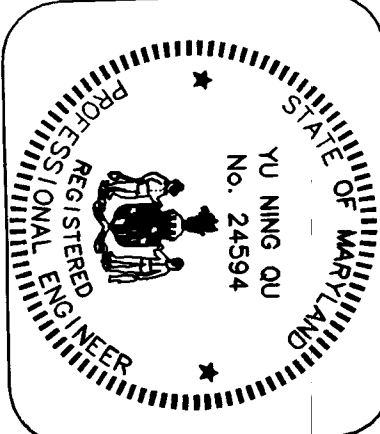
METAL CANOPY
BRICK FACADE
EXTRA SPACE SIGN

TYPICAL PROPOSED ELEVATION - BUILDINGS - G - L
116' x 110'

PARTIAL EASTERN AVENUE ELEVATION - PROPOSED
116' x 110'


02/13

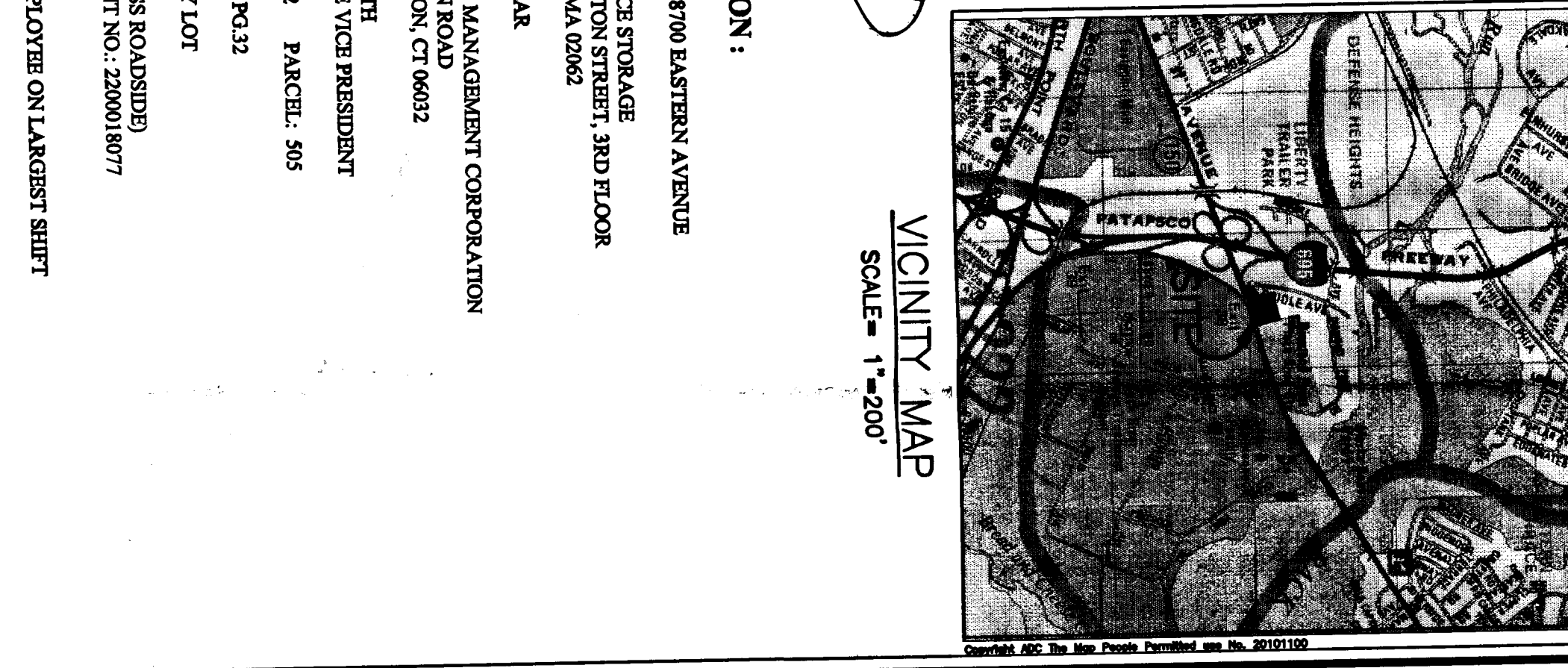
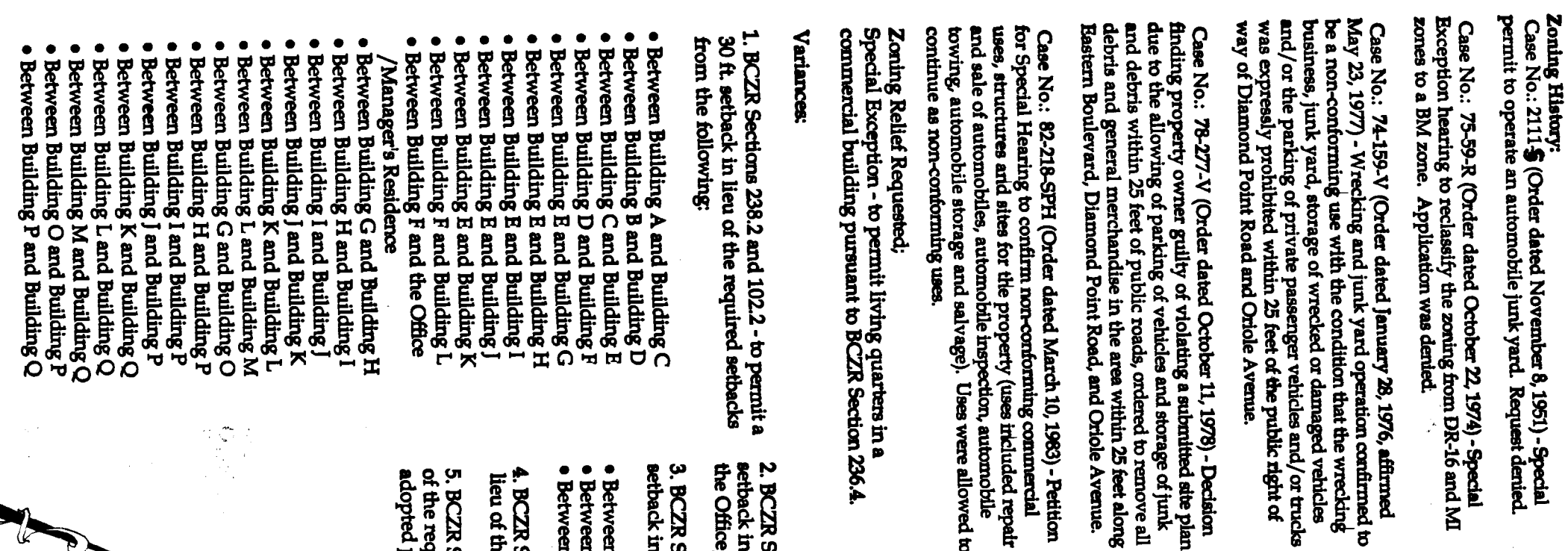
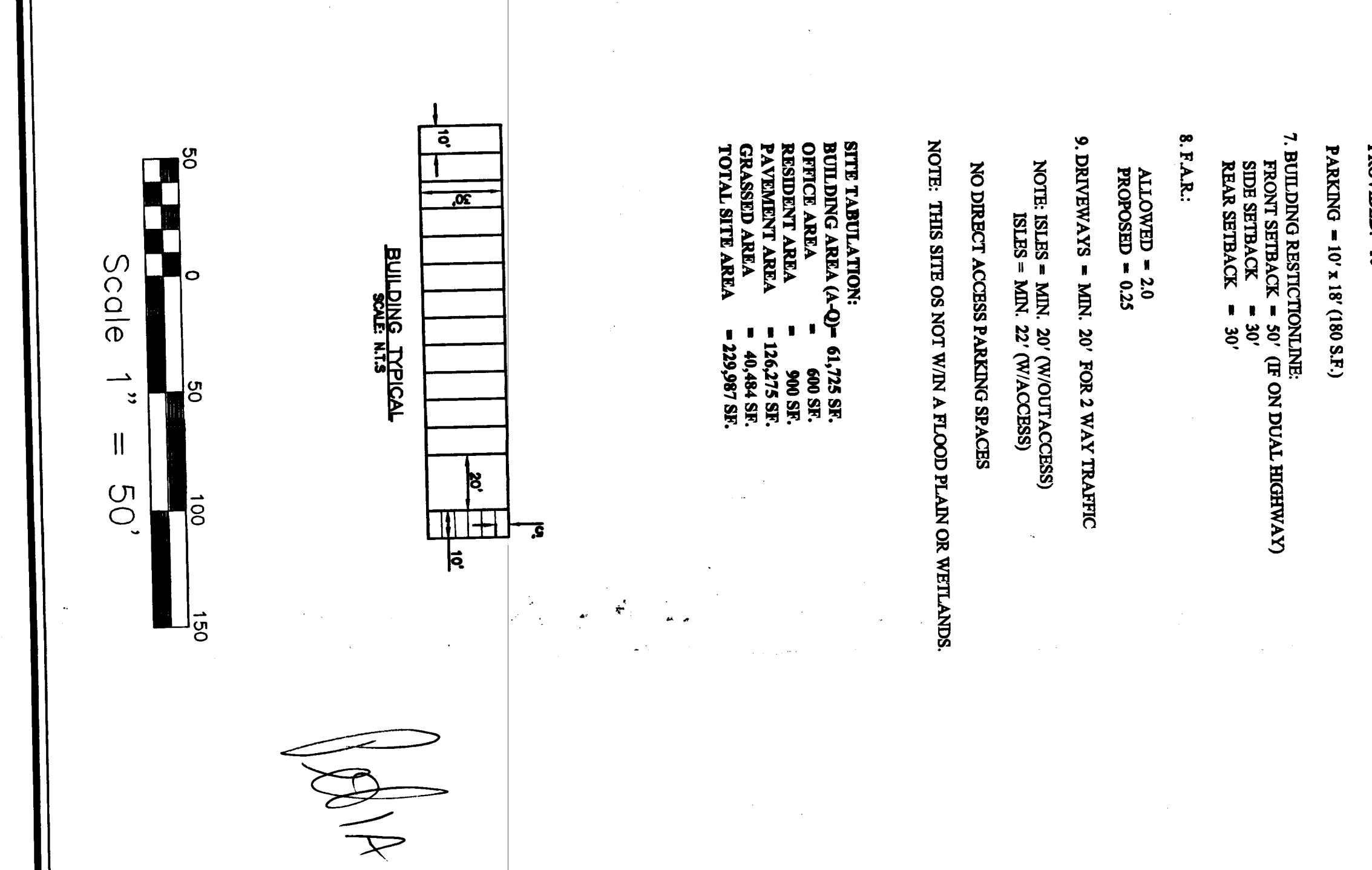
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T O R A G E		
	REVISIONS	DATE



BURGESS & NIPLE

170 ROLLINS AVENUE ROCKVILLE, MARYLAND, 20852-4095

PH. (301) 468-9400 FAX (301) 468-9665

6. A landscape plan will be submitted to this office for review and approval prior to the issuance of any building permits. Said landscape plan will provide a double class A landscape screen along Eastern Avenue and the boundary of lot 1.

Prepared by: Mark A. Cunniff

Section Chief: John J. Hinchman

AFK/LL:MAC: